

1. (Thrice Amended) A complex comprising semi-purified or pure SV40 VP1 capsid protein or a mixture of VP1 and at least one other SV40 capsid protein; and a constituent selected from the group consisting of:

- ~~Ex~~  
F1
- a) an exogenous substantially histone-free DNA, or an exogenous substantially histone-free DNA encoding an exogenous protein or peptide product, or an exogenous substantially histone-free DNA encoding RNA;
  - b) a vector comprising any of the exogenous substantially histone-free DNAs of a);
  - c) an exogenous RNA, or an exogenous RNA encoding an exogenous protein or peptide product;
  - d) a vector comprising any of the exogenous RNAs of c); or
  - e) antisense RNA, ribozyme RNA or any RNA or substantially histone-free DNA which inhibits or prevents the expression of undesired protein or proteins in said mammalian cell;

and further comprising operatively linked elements sufficient for one or more of the following:

- (i) replication of said constituent;
- (ii) expression of said constituent; and
- (iii) prevention of expression of said undesired protein or proteins; in said mammalian cell.

- ~~Sub F2~~  
F2
6. (Thrice Amended) A complex according to Claim 1 wherein said constituent is:

- (a) exogenous circular or linear substantially histone-free DNA;
- (b) exogenous circular or linear substantially histone-free DNA encoding a protein or peptide product; or
- (c) exogenous circular or linear substantially histone-free DNA encoding RNA.

7. (Thrice Amended) A complex according to Claim 6 wherein said substantially histone-free DNA is DNA which encodes a protein or peptide product, wherein said protein or peptide product is not made or contained in said cell prior to

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infection with the construct, or is substantially histone-free DNA which encodes a protein or peptide product, wherein said protein or peptide product is made or contained in said cell in an amount insufficient for proper cell function prior to infection with the construct, or is substantially histone-free DNA which encodes a protein or peptide product, wherein said protein or peptide product is made or contained in said cell in a form inadequate for proper cell function prior to infection with the construct, or encodes a RNA.

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- F3*
18. (Thrice Amended) A method for the *in vitro* construction of SV40 viruses or pseudoviruses comprising exogenous substantially histone-free nucleic acid comprising the following steps:
- a) allowing a semi-purified or pure SV40 VP1 capsid protein or a mixture of VP1 and at least one other SV40 capsid protein to self-assemble into SV40-like particles; and
  - b) bringing the SV40-like particles assembled in step (a) into contact with said exogenous substantially histone-free nucleic acid to give *in vitro* constructed viruses, or into contact with a vector comprising said exogenous substantially histone-free nucleic acid to give pseudoviruses.
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- F4*  
*F4*
20. (Twice Amended) A method according to Claim 18 wherein in step (a) at least one other SV40 protein, preferably SV40 agnoprotein, is added to the mixture of said SV40 capsid protein or proteins and said exogenous substantially histone-free nucleic acid.
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- F7*  
*F5*
35. (Thrice Amended) A method for the *in vitro* construction of SV40 pseudoviruses comprising exogenous antisense RNA, or ribozyme RNA or RNA or substantially histone-free DNA which inhibits or prevents the expression of undesired protein or proteins in a mammalian cell, comprising the following steps:
- a) allowing a semi-purified or pure SV40 VP1 capsid protein or a mixture of VP1 and at least one other SV40 protein to self assemble into SV40-like particles and

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- b) bringing said SV40-like particles obtained, in step (a) into contact with said exogenous antisense RNA, or ribozyme RNA, or RNA or substantially histone-free DNA which inhibits or prevents the expression of undesired proteins in a mammalian cell, to give *in vitro* constructed SV40 pseudoviruses.

- F8 E6
37. (Twice Amended) A method according to Claim 35 wherein in step (a) at least one other SV40 protein, preferably SV40 agnoprotein, is added to the mixture of SV40 capsid protein or proteins and the exogenous antisense RNA or ribozyme RNA or RNA or substantially histone-free DNA.

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E9
43. (Twice Amended) A method of transforming a substantially histone free DNA, RNA, antisense RNA, ribozyme RNA, protein or peptide product into a cell comprising infecting said cell with the construct of Claim 1.

- E8
45. (Twice Amended) A composition comprising an effective amount of the complex of Claim 1 in a pharmaceutically-acceptable carrier.

- E9
46. (Twice Amended) A composition comprising an effective amount of the infected cells according to Claim 41, in a pharmaceutically-acceptable carrier.

Please add new claim 47 as follows:

- E10  
F10
- 47. (New) A complex comprising semi-purified or pure SV40 VP1 capsid protein or a mixture of VP1 and at least one other SV40 capsid protein, and an exogenous protein or peptide product.--

Amendments to the claims are indicated in the attached "Marked Up Version of Amendments" (pages i - iii).